

An act to add Section 43015.5 to the Health and Safety Code, relating to greenhouse gases, and making an appropriation therefor, to take effect immediately, bill related to the budget.

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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 43015.5 is added to the Health and Safety Code, to read:

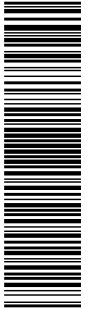
43015.5. (a) The Greenhouse Gas Reduction Account is hereby created within the Air Pollution Control Fund.

(b) Notwithstanding Section 38597, all moneys, excluding penalties and fines, collected pursuant to this part shall be deposited in the Greenhouse Gas Reduction Account and shall be available to the state board, upon appropriation by the Legislature, for purposes of carrying out Division 25.5 (commencing with Section 38500).

(c) The state board shall approve allocations of moneys appropriated from the Greenhouse Gas Reduction Account only after determining, based on the available evidence, that the use of moneys for that measure or project is consistent with the requirements for the use of moneys derived from valid regulatory fees collected pursuant to Part 7 (commencing with Section 38590) of Division 25.5, as established by the California Supreme Court in *Sinclair Paint Co. v. State Bd. of Equalization* (1997) 15 Cal.4th 866.

SEC. 2. The sum of one thousand dollars (\$1,000) is hereby appropriated from the General Fund to the State Air Resources Board for administrative costs associated with this act.

SEC. 3. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.



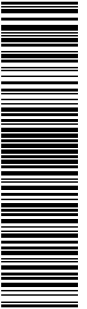
LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Account.

(1) The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act authorizes the state board to include in its regulations the use of market-based compliance mechanisms. The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant



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to that fee schedule be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for the purposes of carrying out the act.

This bill would create the Greenhouse Gas Reduction Account within the Air Pollution Control Fund. The bill would require moneys, as specified, collected pursuant to a market-based compliance mechanism be deposited in this account. The bill also would require those moneys, upon appropriation by the Legislature, be used for purposes of carrying out the California Global Warming Solutions Act of 2006.

(2) This bill would appropriate \$1,000 from the General Fund to the state board for administrative costs associated with the bill.

(3) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

